

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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|------------------|--|--------------------|-------------|
| Appellants:      | APOSTOLOPOULOS, et al.   | Patent Application |             |
| Application No.: | 09/899,622   | Group Art Unit:    | 2445        |
| Filed:           | July 3, 2001   | Examiner:          | Hossain, T. |
| For:             | METHOD AND SYSTEM FOR DELIVERING STREAMING MEDIA TO FIXED<br>CLIENTS OR MOBILE CLIENTS WITH MULTIPLE DESCRIPTION<br>BITSTREAMS |                    |             |

REPLY BRIEF

In response to the Examiner's Answer mailed on November 24, 2010, Appellants respectfully submit the following remarks.

### REMARKS

Appellants are submitting the following remarks in response to the Examiner's Answer. In these remarks, Appellants are addressing certain arguments presented in the Examiner's Answer. While only certain arguments are addressed in this Reply Brief, this should not be construed that Appellants agree with the other arguments presented in the Examiner's Answer.

#### Examiner's Answer page 10 line 1 to page 12 line 3

The Examiner's Answer appears to be relying 0049, 0053 and Figure 5 of Abrahamsson to teach "encoding an item of content comprising media data to be streamed to said client into a first multiple description bitstream and into a second multiple description bitstream," as recited by independent Claim 1.

First, Appellants understand Abrahamsson to teach at 0049 that different segment descriptions of the same sound segment are transmitted in respective packets (different packets) to the Diversity Controller. Since they are transmitted to the diversity controller, Appellants understand these different packets to be transmitted at different points in time (Abrahamsson 0031). Therefore, Appellants do not understand Abrahamsson to teach "encoding an item of content comprising media data to be streamed to said client into a first multiple description bitstream and into a second multiple description bitstream," as recited by independent Claim 1 at 0049.

Second, Abrahamsson states at 0053 lines 13-15, "[f]or example, one packet will contain segment description D2(n-1) of sound segment n-1 and segment description D1(n) of sound segment n." Therefore, the two segment descriptions D2(n-1) and D1(n) are for different sound segments n-1 and n (different items of content). Although Abrahamson teaches transmitting two different segment descriptions in the same packet at 0053, Abrahamson's two different segment descriptions are not for encoding the same item of content. Therefore, Appellants do not understand Abrahamsson to teach "encoding an item of content comprising media data to be streamed to said client

into a first multiple description bitstream and into a second multiple description bitstream,” (emphasis added) as recited by independent Claim 1 at 0053.

Second, since Abrahamsson’s intended purpose is to provide diversity transmission to maximize that possibility that a receiving node will be provided at least enough information to create something that is playable (0031), Appellants respectfully submit that Abrahamsson teaches away from transmitting two segment descriptions of the same sound segment in the same packet.

Therefore, Appellants continue to maintain that Abrahamsson teaches away from “encoding an item of content comprising media data to be streamed to said client into a first multiple description bitstream and into a second multiple description bitstream...distributing concurrently said first and second multiple description bitstreams...wherein said client decodes said item of content at a first quality should only said first multiple description bitstream be received at said client, wherein said client decodes said item of content at a second quality should only said second multiple description bitstream be received at said client, and wherein said client decodes said item of content at a quality greater than either...should both...be received at said client,” (emphasis added) as recited by independent Claim 1.

Further, Appellants do not understand Abrahamsson to teach transmitting the single packet that includes segment description D2(n-1) and D1(n) over “a plurality of transmission paths,” as recited by Claim 1.

Examiner’s Answer page 12 lines 4-9

Since this embodiment pertains to different segments, Appellants respectfully submit that this does not teach “encoding an item of content comprising media data to be streamed to said client into a first multiple description bitstream and into a second multiple description bitstream...distributing concurrently said first and second multiple description bitstreams...wherein said client decodes said item of content at a first quality

should only said first multiple description bitstream be received at said client, wherein said client decodes said item of content at a second quality should only said second multiple description bitstream be received at said client, and wherein said client decodes said item of content at a quality greater than either...should both...be received at said client,” (emphasis added) as recited by independent Claim 1.

Examiner’s Answer page 12 line 12 to page 13 line 4

Appellants understand the embodiment discussed at page 12 lines 12-20 to be the embodiment described at 0053 of Abrahamsson, which Appellants discuss elsewhere herein.

Examiner’s Answer page 13 lines 5 to 21

The Examiner’s Answer asserts that since the packets of one description (421) are interleaved with the packets of another description (422) until the entire descriptions are transmitted, then Abrahamsson teaches “...distributing concurrently said first and second multiple description bitstreams...wherein said client decodes said item of content at a first quality should only said first multiple description bitstream be received at said client, wherein said client decodes said item of content at a second quality should only said second multiple description bitstream be received at said client, and wherein said client decodes said item of content at a quality greater than either...should both...be received at said client,” (emphasis added) as recited by independent Claim 1.

It appears to Appellant that the Examiner’s Answer is referring to Figure 4a of Abrahamsson. Appellants respectfully submit that Abrahamsson does not depict interleaving packets of one description (421) with packets of another description (422). Instead as Abrahamsson explicitly teaches at 0050 lines 8-11, Abrahamsson depicts separate packets 421, 422 that are transmitted at different points in time t1 and t2 where the respective packets include the respective descriptions D1(n) and D2(n). Therefore, the packets 421, 422 include the respective descriptions D1(n) and D2(n) instead of a portion of the respective descriptions D1(n) and D2(n). Further, they are transmitted at different points in time as explicitly taught at 0050 lines 8-11.

Examiner's Answer page 14 line 17 to page 16 line 8

Referring to the Examiner's Answer page 14 line 17 to page 16 line 8, Appellants are not refuting that Abrahamson teaches multiple description bitstreams. Appellants respectfully submit and argue that Abrahamsson teaches away from "encoding an item of content comprising media data to be streamed to said client into a first multiple description bitstream and into a second multiple description bitstream...distributing concurrently said first and second multiple description bitstreams...wherein said client decodes said item of content at a first quality should only said first multiple description bitstream be received at said client, wherein said client decodes said item of content at a second quality should only said second multiple description bitstream be received at said client, and wherein said client decodes said item of content at a quality greater than either...should both...be received at said client," (emphasis added) as recited by independent Claim 1.

### CONCLUSION

In view of the above remarks, Appellants continue to assert that the combination of Abrahamsson and Ehrman and the combination of Abrahamsson, Ehrman and Krueger do not teach, describe, or suggest the claimed embodiments, for reasons presented above and for reasons previously presented in the Appeal Brief.

Respectfully submitted,

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